

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

MARY PEREZ,  
Plaintiff,  
v.  
FLOYD RUDD,  
Defendant.

Case No. 23-cv-02029-AMO

**ORDER ADOPTING MAGISTRATE  
JUDGE'S REPORT AND  
RECOMMENDATION AND DENYING  
AS MOOT MOTION FOR LEAVE TO  
PROCEED IN FORMA PAUPERIS**

Re: Dkt. Nos. 3, 6

The Court has reviewed Magistrate Judge Thomas S. Hixson's Report and Recommendation to remand this action to the Contra Costa County Superior Court. The period for objections has elapsed, and no objections were filed. *See* Fed. R. Civ. P. 72.

The Court finds the Report correct, well-reasoned, and thorough, and adopts it in every respect. The complaint in this unlawful detainer case reveals no basis for the exercise of either diversity or federal-question jurisdiction. *See* ECF No. 1. Accordingly, this action is hereby REMANDED to the Superior Court of Contra Costa County. The Court DENIES AS MOOT Defendant's motion to proceed in forma pauperis.

**IT IS SO ORDERED.**

Dated: June 12, 2023



ARACELI MARTÍNEZ-OLGUÍN  
United States District Judge